

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

H I G H L Y C O N F I D E N T I A L  
VIDEOTAPED DEPOSITION OF JONATHAN ROSENBERG  
PALO ALTO, CALIFORNIA  
FRIDAY, DECEMBER 4, 2009

JOB NO. 18170

DAVID FELDMAN WORLDWIDE, INC.  
450 Seventh Avenue - Ste 2803, New York, NY 10123 (212) 705-8585

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DECEMBER 4, 2009

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10:05 a.m.

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VIDEOTAPED DEPOSITION OF JONATHAN ROSENBERG,

5

WILSON, SONSINI, GOODRICH & ROSATI, LLP,

6

601 Page Mill Road, Palo Alto, California

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pursuant to notice, and before me,

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ANDREA M. IGNACIO HOWARD, CLR, RPR, CRR, CSR

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License No. 9830.

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1       A P P E A R A N C E S:

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3       FOR THE LEAD PLAINTIFFS AND PROSPECTIVE CLASS:

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11       FOR THE PLAINTIFFS VIACOM INTERNATIONAL, INC.:

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1 A P P E A R A N C E S (Continued.)

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3 FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and  
4 GOOGLE, INC.:

5 MAYER BROWN, LLP

6 By: JOHN MANCINI, Esq.

7 1675 Broadway

8 New York, New York 10019

9 (212) 506-2146

10 jmancini@mayer.com

11

12 ALSO PRESENT: Armando Carrasco, Videographer.

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1 ROSENBERG, J.

2 10:12:55 A About three and a half hours.

3 10:12:56 Q And did counsel show you documents during the

4 10:12:59 course of the three and a half hours?

5 10:13:00 A Yes.

6 10:13:00 Q Approximately how many documents did counsel

7 10:13:03 show you?

8 10:13:07 A Two dozen.

9 10:13:09 Q What is your -- what is your current position

10 10:13:16 at Google?

11 10:13:17 A I'm the senior vice president of product

12 10:13:19 management.

13 10:13:20 Q And was that the same position you held since

14 10:13:22 2005?

15 10:13:26 A Since 2000 -- yeah.

16 10:13:28 Q In other words, you haven't changed functions

17 10:13:31 since 2005?

18 10:13:33 A Correct.

19 10:13:33 Q Okay. And are you currently a member of the

20 10:13:40 Operations Committee of the company?

21 10:13:42 A Yes.

22 10:13:42 Q And previously, when the Operations Committee

23 10:13:45 was called the Executive Management Group, were you a

24 10:13:50 member of that as well?

25 10:13:52 A Yes.

1 ROSENBERG, J.

11:00:20 2 Q Now, there is a function -- strike that.

11:00:22 3 There is an event that's part of Google

11:00:27 4 culture which is called the -- a GPS conference; isn't

11:00:30 5 that true?

11:00:31 6 A Yes.

11:00:31 7 Q And just -- could you identify for us what

11:00:35 8 the -- what does "GPS" stand for?

11:00:37 9 A I believe it stands for Google Product

11:00:39 10 Strategy.

11:00:40 11 Q And I take it, by virtue of your position,

11:00:44 12 you would have -- you attended or attend almost all

11:00:48 13 GPS meetings; is that correct?

11:00:53 14 A No.

11:00:55 15 Q Do you recall whether you attended a GPS

11:00:58 16 meeting on the topic of Google Video that occurred in

11:01:03 17 approximately May 2006?

11:01:05 18 MR. MANCINI: Objection; lacks foundation.

11:01:08 19 THE WITNESS: I believe I attended GPS

11:01:12 20 meetings related to Google Video. I do not recall

11:01:14 21 specific meetings, and I do not believe I attended all

11:01:20 22 the meetings.

11:01:20 23 MR. BASKIN: Q. Well, do you recall

11:01:23 24 attending a meeting, in and around the spring of 2006,

11:01:26 25 where Mr. Chane made a presentation to the GPS

1 ROSENBERG, J.

11:01:34 2 regarding Google Video?

11:01:36 3 MR. MANCINI: Objection to form; and

11:01:37 4 objection; lacks foundation.

11:01:38 5 THE WITNESS: I recall being present when

11:01:43 6 Peter Chane presented information on Google Video. I

11:01:50 7 don't recall what meeting that was or when it was.

11:01:52 8 MR. BASKIN: Q. And do you recall a meeting

11:01:53 9 where Mr. Chane did that, that Mr. Schmidt was also

11:01:57 10 present?

11:01:59 11 A I --

11:01:59 12 MR. MANCINI: Objection to form; and

11:02:01 13 objection; lacks foundation.

11:02:02 14 THE WITNESS: I don't keep track of which of

11:02:03 15 the other executives are in these meetings. Eric is

11:02:07 16 not always at the meetings, and I'm not always at the

11:02:10 17 meetings.

11:02:10 18 MR. BASKIN: Q. The particular meeting where

11:02:12 19 Mr. Chane addressed the -- the meeting, do you recall

11:02:15 20 that Mr. Brin was present?

11:02:17 21 A No, I do not.

11:02:19 22 Q Now, as you sit here now, do you have any

11:02:28 23 substantive recollection of the GPS meeting -- the

11:02:35 24 subject of the GPS meeting in -- at which Mr. Chane

11:02:41 25 addressed the GPS?